

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 650

FINAL READING

Introduced by Christensen, 44; Fischer, 43; Krist, 10; Dubas, 34.

Read first time January 21, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections
2 60-471, 60-501, 60-520, 60-547, 60-6,357, 60-6,358,
3 60-6,359, 60-6,360, and 60-6,361, Reissue Revised
4 Statutes of Nebraska, sections 60-102, 60-123, 60-136,
5 60-137, 60-148, 60-149, 60-153, 60-154, 60-154.01,
6 60-171, 60-302, 60-339, 60-3,100, 60-3,187, 60-3,190,
7 60-4,126, 60-605, 60-6,355, and 60-6,356, Revised
8 Statutes Cumulative Supplement, 2008, and sections
9 23-186, 30-24,125, 60-101, 60-144, 60-164, 60-165,
10 60-301, 60-3,104, 60-601, and 60-1901, Revised Statutes
11 Supplement, 2009; to authorize the operation of
12 minitrucks and utility-type vehicles as prescribed; to
13 define terms; to harmonize provisions; to provide an

1 operative date; and to repeal the original sections.

2 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 23-186, Revised Statutes Supplement,
2 2009, is amended to read:

3 23-186 (1) Until the implementation date designated by
4 the Director of Motor Vehicles under subsection (2) of this
5 section, a county board may consolidate, under the office of
6 a designated county official, the services provided to the
7 public by the county assessor, the county clerk, and the county
8 treasurer relating to the issuance of certificates of title,
9 registration certificates, certificates of number, license plates,
10 and renewal decals, the notation and cancellation of liens, and
11 the collection of taxes and fees for motor vehicles, all-terrain
12 vehicles, utility-type vehicles, minibikes, snowmobiles, trailers,
13 and motorboats as provided in the Motor Vehicle Certificate of
14 Title Act, the Motor Vehicle Registration Act, the State Boat Act,
15 and sections 18-1738, 18-1738.01, and 60-1803. In a county in which
16 a city of the metropolitan class is located, the county board may
17 designate the county treasurer to provide the services. In any
18 other county, the county board may designate the county assessor,
19 the county clerk, or the county treasurer to provide the services.

20 (2) Beginning on an implementation date designated by the
21 Director of Motor Vehicles, but no later than January 1, 2011,
22 the county treasurer of each county shall be the county official
23 who provides services to the public relating to the issuance
24 of certificates of title, registration certificates, certificates
25 of number, license plates, and renewal decals, the notation and

1 cancellation of liens, and the collection of taxes and fees
2 for motor vehicles, all-terrain vehicles, utility-type vehicles,
3 minibikes, snowmobiles, trailers, and motorboats as provided in
4 the Motor Vehicle Certificate of Title Act, the Motor Vehicle
5 Registration Act, the State Boat Act, and sections 18-1738,
6 18-1738.01, and 60-1803.

7 Sec. 2. Section 30-24,125, Revised Statutes Supplement,
8 2009, is amended to read:

9 30-24,125 (a) Thirty days after the death of a decedent,
10 any person indebted to the decedent or having possession of
11 tangible personal property or an instrument evidencing a debt,
12 obligation, stock, or chose in action belonging to the decedent
13 shall make payment of the indebtedness or deliver the tangible
14 personal property or an instrument evidencing a debt, obligation,
15 stock, or chose in action to a person claiming to be the successor
16 of the decedent upon being presented an affidavit made by or on
17 behalf of the successor stating:

18 (1) the value of all of the personal property in the
19 decedent's estate, wherever located, less liens and encumbrances,
20 does not exceed fifty thousand dollars;

21 (2) thirty days have elapsed since the death of the
22 decedent as shown in a certified or authenticated copy of the
23 decedent's death certificate attached to the affidavit;

24 (3) the claiming successor's relationship to the decedent
25 or, if there is no relationship, the basis of the successor's claim

1 to the personal property;

2 (4) the person or persons claiming as successors under
3 the affidavit swear or affirm that all statements in the affidavit
4 are true and material and further acknowledge that any false
5 statement may subject the person or persons to penalties relating
6 to perjury under section 28-915;

7 (5) no application or petition for the appointment of
8 a personal representative is pending or has been granted in any
9 jurisdiction; and

10 (6) the claiming successor is entitled to payment or
11 delivery of the property.

12 (b) A transfer agent of any security shall change the
13 registered ownership on the books of a corporation from the
14 decedent to the successor or successors upon the presentation of an
15 affidavit as provided in subsection (a).

16 (c) In addition to compliance with the requirements of
17 subsection (a), a person seeking a transfer of a certificate
18 of title to a motor vehicle, motorboat, all-terrain vehicle,
19 utility-type vehicle, or minibike shall be required to furnish to
20 the Department of Motor Vehicles an affidavit showing applicability
21 of this section and compliance with the requirements of this
22 section to authorize the department to issue a new certificate of
23 title.

24 Sec. 3. Section 60-101, Revised Statutes Supplement,
25 2009, is amended to read:

1 60-101 Sections 60-101 to 60-197 and sections 5, 7, and
2 10 of this act shall be known and may be cited as the Motor Vehicle
3 Certificate of Title Act.

4 Sec. 4. Section 60-102, Revised Statutes Cumulative
5 Supplement, 2008, is amended to read:

6 60-102 For purposes of the Motor Vehicle Certificate of
7 Title Act, unless the context otherwise requires, the definitions
8 found in sections 60-103 to 60-136.01 and sections 5 and 7 of this
9 act shall be used.

10 Sec. 5. Minitruck means a foreign-manufactured import
11 vehicle or domestic-manufactured vehicle which (1) is powered by
12 an internal combustion engine with a piston or rotor displacement
13 of one thousand cubic centimeters or less, (2) is sixty-seven
14 inches or less in width, (3) has a dry weight of four thousand
15 two hundred pounds or less, (4) travels on four or more tires,
16 (5) has a top speed of approximately fifty-five miles per hour,
17 (6) is equipped with a bed or compartment for hauling, (7)
18 has an enclosed passenger cab, (8) is equipped with headlights,
19 taillights, turnsignals, windshield wipers, a rearview mirror,
20 and an occupant protection system, and (9) has a four-speed,
21 five-speed, or automatic transmission.

22 Sec. 6. Section 60-123, Revised Statutes Cumulative
23 Supplement, 2008, is amended to read:

24 60-123 Motor vehicle means any vehicle propelled by any
25 power other than muscular power. Motor vehicle does not include

1 ~~except~~ (1) mopeds, (2) farm tractors, (3) self-propelled equipment
2 designed and used exclusively to carry and apply fertilizer,
3 chemicals, or related products to agricultural soil and crops,
4 agricultural floater-spreader implements, and other implements of
5 husbandry designed for and used primarily for tilling the soil
6 and harvesting crops or feeding livestock, (4) power unit hay
7 grinders or a combination which includes a power unit and a hay
8 grinder when operated without cargo, (5) vehicles which run only
9 on rails or tracks, (6) off-road designed vehicles, including, but
10 not limited to, golf carts, go-carts, riding lawnmowers, garden
11 tractors, all-terrain vehicles, utility-type vehicles, snowmobiles
12 registered or exempt from registration under sections 60-3,207 to
13 60-3,219, and minibikes, (7) road and general-purpose construction
14 and maintenance machinery not designed or used primarily for the
15 transportation of persons or property, including, but not limited
16 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,
17 leveling graders, earthmoving carryalls, power shovels, earthmoving
18 equipment, and crawler tractors, (8) self-propelled chairs used by
19 persons who are disabled, (9) electric personal assistive mobility
20 devices, and (10) low-speed vehicles.

21 Sec. 7. (1) Utility-type vehicle means any motorized
22 off-highway device which (a) is not less than forty-eight inches
23 nor more than seventy-four inches in width, (b) is not more
24 than one hundred thirty-five inches, including the bumper, in
25 length, (c) has a dry weight of not less than nine hundred pounds

1 nor more than two thousand pounds, (d) travels on four or more
2 low-pressure tires, and (e) is equipped with a steering wheel and
3 bench or bucket-type seating designed for at least two people to
4 sit side-by-side.

5 (2) Utility-type vehicle does not include golf carts or
6 low-speed vehicles.

7 Sec. 8. Section 60-136, Revised Statutes Cumulative
8 Supplement, 2008, is amended to read:

9 60-136 Vehicle means a motor vehicle, all-terrain
10 vehicle, utility-type vehicle, minibike, trailer, or semitrailer.

11 Sec. 9. Section 60-137, Revised Statutes Cumulative
12 Supplement, 2008, is amended to read:

13 60-137 (1) The Motor Vehicle Certificate of Title Act
14 applies to all vehicles as defined in the act, except:

15 (a) Farm trailers;

16 (b) Low-speed vehicles;

17 (c) Well-boring apparatus, backhoes, bulldozers, and
18 front-end loaders; and

19 (d) Trucks and buses from other jurisdictions required
20 to pay registration fees under the Motor Vehicle Registration Act,
21 except a vehicle registered or eligible to be registered as part of
22 a fleet of apportionable vehicles under section 60-3,198.

23 (2) All new all-terrain vehicles and minibikes sold on or
24 after January 1, 2004, shall be required to have a certificate of
25 title. An owner of an all-terrain vehicle or minibike sold prior to

1 such date may apply for a certificate of title for such all-terrain
2 vehicle or minibike as provided in rules and regulations of the
3 department.

4 (3) An owner of a utility trailer may apply for a
5 certificate of title upon compliance with the Motor Vehicle
6 Certificate of Title Act.

7 (4) (a) Every owner of a manufactured home or mobile home
8 shall obtain a certificate of title for the manufactured home or
9 mobile home prior to affixing it to real estate.

10 (b) If a manufactured home or mobile home has been
11 affixed to real estate and a certificate of title was not issued
12 before it was so affixed, the owner of such manufactured home or
13 mobile home shall apply for and be issued a certificate of title
14 at any time for surrender and cancellation as provided in section
15 60-169.

16 (5) All new utility-type vehicles sold on or after
17 January 1, 2011, shall be required to have a certificate of title.
18 An owner of a utility-type vehicle sold prior to such date may
19 apply for a certificate of title for such utility-type vehicle as
20 provided in rules and regulations of the department.

21 Sec. 10. If a minitruck does not have a manufacturer's
22 vehicle identification number, the owner of the minitruck may apply
23 for a certificate of title by presenting (1) (a) a manufacturer's
24 statement of origin for the minitruck or (b) (i) a bill of sale
25 or a manufacturer's or importer's certificate for a minitruck

1 purchased before January 1, 2011, or a manufacturer's or importer's
2 certificate for a minitruck purchased on or after January 1, 2011,
3 and (ii) an affidavit by the owner affirming ownership for the
4 minitruck, (2) a statement that an inspection has been conducted on
5 the minitruck, and (3) a vehicle identification number as described
6 in section 60-148. The certificate of title shall indicate the
7 make and model year of the minitruck. If the model year cannot
8 be determined, the model year of the minitruck shall be the year
9 application for title was made.

10 Sec. 11. Section 60-144, Revised Statutes Supplement,
11 2009, is amended to read:

12 60-144 (1)(a) Except as provided in subdivisions (b),
13 (c), and (d) of this subsection, the county clerk or designated
14 county official shall be responsible for issuing and filing
15 certificates of title for vehicles, and each county shall issue
16 and file such certificates of title using the vehicle titling
17 and registration computer system prescribed by the department.
18 Application for a certificate of title shall be made upon a form
19 prescribed by the department. All applications shall be accompanied
20 by the appropriate fee or fees.

21 (b) The department shall issue and file certificates
22 of title for Nebraska-based fleet vehicles. Application for a
23 certificate of title shall be made upon a form prescribed by
24 the department. All applications shall be accompanied by the
25 appropriate fee or fees.

1 (c) The department shall issue and file certificates of
2 title for state-owned vehicles. Application for a certificate of
3 title shall be made upon a form prescribed by the department. All
4 applications shall be accompanied by the appropriate fee or fees.

5 (d) The department shall issue certificates of title
6 pursuant to section 60-142.06. Application for a certificate of
7 title shall be made upon a form prescribed by the department. All
8 applications shall be accompanied by the appropriate fee or fees.

9 (2) If the owner of an all-terrain vehicle, a
10 utility-type vehicle, or a minibike resides in Nebraska, the
11 application shall be filed with the county clerk or designated
12 county official of the county in which the owner resides.

13 (3) (a) Except as otherwise provided in subdivision (b) of
14 this subsection, if a vehicle, other than an all-terrain vehicle, a
15 utility-type vehicle, or a minibike, has situs in Nebraska, the
16 application shall be filed with the county clerk or designated
17 county official of the county in which the vehicle has situs.

18 (b) If a motor vehicle dealer licensed under Chapter 60,
19 article 14, applies for a certificate of title for a vehicle, the
20 application may be filed with the county clerk or designated county
21 official of any county.

22 (4) If the owner of a vehicle is a nonresident, the
23 application shall be filed in the county in which the transaction
24 is consummated.

25 (5) The application shall be filed within thirty days

1 after the delivery of the vehicle.

2 (6) All applicants registering a vehicle pursuant to
3 section 60-3,198 shall file the application for a certificate
4 of title with the Division of Motor Carrier Services of the
5 department. The division shall deliver the certificate to the
6 applicant if there are no liens on the vehicle. If there are
7 any liens on the vehicle, the division shall deliver or mail the
8 certificate of title to the holder of the first lien on the day of
9 issuance. All certificates of title issued by the division shall be
10 issued in the manner prescribed for the county clerk or designated
11 county official in section 60-152.

12 Sec. 12. Section 60-148, Revised Statutes Cumulative
13 Supplement, 2008, is amended to read:

14 60-148 (1) Whenever a person applies for a certificate of
15 title for a vehicle, the department shall assign a distinguishing
16 identification number to the vehicle if the vehicle identification
17 number is destroyed, obliterated, or missing. The owner of such a
18 vehicle to which such number is assigned shall have such number
19 affixed to such vehicle as provided in subsection (2) of this
20 section and sign an affidavit on a form prepared by the department
21 that such number has been attached. Before the certificate of
22 title for an assigned number is released to the applicant by the
23 county clerk or designated county official, the applicant shall
24 also provide a statement that an inspection has been conducted.

25 (2) The department shall develop a metallic assigned

1 vehicle identification number plate which can be permanently
2 secured to a vehicle by rivets or a permanent sticker or
3 other form of marking or identifying the vehicle with the
4 distinguishing identification number as determined by the director.
5 All distinguishing identification numbers shall contain seventeen
6 characters in conformance with national standards. When the
7 manufacturer's vehicle identification number is known, it shall be
8 used by the department as the assigned number. In the case of an
9 assembled all-terrain vehicle, utility-type vehicle, or minibike
10 or assembled vehicle, the department shall use a distinguishing
11 identification number. The department shall, upon application by
12 an owner, provide the owner with a number plate or a permanent
13 sticker or other form of marking or identification displaying a
14 distinguishing identification number or the manufacturer's number.

15 (3) Any vehicle to which a distinguishing identification
16 number is assigned shall be titled under such distinguishing
17 identification number when titling of the vehicle is required under
18 the Motor Vehicle Certificate of Title Act.

19 Sec. 13. Section 60-149, Revised Statutes Cumulative
20 Supplement, 2008, is amended to read:

21 60-149 (1)(a) If a certificate of title has previously
22 been issued for a vehicle in this state, the application for a
23 new certificate of title shall be accompanied by the certificate
24 of title duly assigned except as otherwise provided in the Motor
25 Vehicle Certificate of Title Act.

1 (b) If a certificate of title has not previously been
2 issued for the vehicle in this state or if a certificate of title
3 is unavailable pursuant to subsection (4) of section 52-1801, the
4 application shall be accompanied by:

5 (i) A manufacturer's or importer's certificate except as
6 otherwise provided in subdivision (vii) of this subdivision;

7 (ii) A duly certified copy ~~thereof;~~ of the manufacturer's
8 or importer's certificate;

9 (iii) An affidavit by the owner affirming ownership in
10 the case of an all-terrain vehicle, a utility-type vehicle, or a
11 minibike;

12 (iv) A certificate of title from another state;

13 (v) A court order issued by a court of record, a
14 manufacturer's certificate of origin, or an assigned registration
15 certificate, if the law of the state from which the vehicle was
16 brought into this state does not have a certificate of title law;
17 ~~or~~

18 (vi) Documentation prescribed in section 60-142.01,
19 60-142.02, 60-142.04, or 60-142.05; or-

20 (vii) A manufacturer's or importer's certificate and an
21 affidavit by the owner affirming ownership in the case of a
22 minitruck.

23 (c) If the application for a certificate of title in this
24 state is accompanied by a valid certificate of title issued by
25 another state which meets that state's requirements for transfer of

1 ownership, then the application may be accepted by this state.

2 (d) If a certificate of title has not previously been
3 issued for the vehicle in this state and the applicant is unable
4 to provide such documentation, the applicant may apply for a bonded
5 certificate of title as prescribed in section 60-167.

6 (2) For purposes of this section, certificate of title
7 includes a salvage certificate, a salvage branded certificate of
8 title, or any other document of ownership issued by another state
9 or jurisdiction for a salvage vehicle. Only a salvage branded
10 certificate of title shall be issued to any vehicle conveyed upon a
11 salvage certificate, a salvage branded certificate of title, or any
12 other document of ownership issued by another state or jurisdiction
13 for a salvage vehicle.

14 (3) The county clerk or designated county official shall
15 retain the evidence of title presented by the applicant and on
16 which the certificate of title is issued.

17 Sec. 14. Section 60-153, Revised Statutes Cumulative
18 Supplement, 2008, is amended to read:

19 60-153 (1) A certificate of title shall be printed
20 upon safety security paper to be selected by the department.
21 The certificate of title, manufacturer's statement of origin,
22 and assignment of manufacturer's certificate shall be upon forms
23 prescribed by the department and may include, but shall not be
24 limited to, county of issuance, date of issuance, certificate
25 of title number, previous certificate of title number, vehicle

1 identification number, year, make, model, and body type of the
2 vehicle, name and residential and mailing address of the owner,
3 acquisition date, issuing county clerk's or designated county
4 official's signature and official seal, and sufficient space for
5 the notation and release of liens, mortgages, or encumbrances, if
6 any. A certificate of title issued on or after September 1, 2007,
7 shall include the words "void if altered". A certificate of title
8 that is altered shall be deemed a mutilated certificate of title.
9 The certificate of title of an all-terrain vehicle, utility-type
10 vehicle, or minibike shall include the words "not to be registered
11 for road use".

12 (2) An assignment of certificate of title shall appear
13 on each certificate of title and shall include, but not be limited
14 to, a statement that the owner of the vehicle assigns all his
15 or her right, title, and interest in the vehicle, the name and
16 address of the assignee, the name and address of the lienholder
17 or secured party, if any, and the signature of the owner or the
18 owner's parent, legal guardian, foster parent, or agent in the case
19 of an owner who is a handicapped or disabled person as defined in
20 section 18-1738.

21 (3) A reassignment by a dealer shall appear on each
22 certificate of title and shall include, but not be limited to,
23 a statement that the dealer assigns all his or her right,
24 title, and interest in the vehicle, the name and address of
25 the assignee, the name and address of the lienholder or secured

1 party, if any, and the signature of the dealer or designated
2 representative. Reassignments shall be printed on the reverse side
3 of each certificate of title as many times as convenient.

4 (4) The department may prescribe a secure
5 power-of-attorney form and may contract with one or more persons
6 to develop, provide, sell, and distribute secure power-of-attorney
7 forms in the manner authorized or required by the federal Truth in
8 Mileage Act of 1986 and any other federal law or regulation. Any
9 secure power-of-attorney form authorized pursuant to a contract
10 shall conform to the terms of the contract and be in strict
11 compliance with the requirements of the department.

12 Sec. 15. Section 60-154, Revised Statutes Cumulative
13 Supplement, 2008, is amended to read:

14 60-154 (1)(a) For each original certificate of title
15 issued by a county for a motor vehicle or trailer, the fee shall
16 be ten dollars. Three dollars and twenty-five cents shall be
17 retained by the county. Four dollars shall be remitted to the State
18 Treasurer for credit to the Department of Motor Vehicles Cash Fund.
19 Two dollars shall be remitted to the State Treasurer for credit to
20 the General Fund. Seventy-five cents shall be remitted to the State
21 Treasurer for credit as follows: Twenty cents to the Motor Vehicle
22 Fraud Cash Fund; forty-five cents to the Nebraska State Patrol
23 Cash Fund; and ten cents to the Nebraska Motor Vehicle Industry
24 Licensing Fund.

25 (b) For each original certificate of title issued by

1 a county for an all-terrain vehicle, a utility-type vehicle, or
2 a minibike, the fee shall be ten dollars. Three dollars and
3 twenty-five cents shall be retained by the county. Four dollars
4 shall be remitted to the State Treasurer for credit to the
5 Department of Motor Vehicles Cash Fund. Two dollars shall be
6 remitted to the State Treasurer for credit to the General Fund.
7 Seventy-five cents shall be remitted to the State Treasurer for
8 credit as follows: Twenty cents to the Motor Vehicle Fraud Cash
9 Fund; and fifty-five cents to the Nebraska State Patrol Cash Fund.

10 (2) For each original certificate of title issued by the
11 department for a vehicle except as provided in section 60-159.01,
12 the fee shall be ten dollars, which shall be remitted to the State
13 Treasurer for credit to the Motor Carrier Division Cash Fund.

14 Sec. 16. Section 60-154.01, Revised Statutes Cumulative
15 Supplement, 2008, is amended to read:

16 60-154.01 The Motor Vehicle Fraud Cash Fund is created.
17 The fund shall be maintained by the Department of Justice and
18 administered by the Attorney General. The fund shall consist of
19 revenue credited pursuant to section 60-154. The fund shall only
20 be used by the Department of Justice for expenses incurred and
21 related to (1) the investigation and prosecution of odometer and
22 motor vehicle fraud and motor vehicle licensing violations which
23 may be referred by the Nebraska Motor Vehicle Industry Licensing
24 Board and (2) the investigation and prosecution of fraud relating
25 to and theft of all-terrain vehicles, utility-type vehicles, and

1 minibikes. Expenditures from the fund shall be approved by the
2 Attorney General as authorized by law. Any money in the fund
3 available for investment shall be invested by the state investment
4 officer pursuant to the Nebraska Capital Expansion Act and the
5 Nebraska State Funds Investment Act.

6 Sec. 17. Section 60-164, Revised Statutes Supplement,
7 2009, is amended to read:

8 60-164 (1) The department shall implement an electronic
9 title and lien system for vehicles no later than January 1, 2011.
10 The director shall designate the date for the implementation of
11 the system. Beginning on the implementation date, the holder of
12 a security interest, trust receipt, conditional sales contract,
13 or similar instrument regarding a vehicle may file a lien
14 electronically as prescribed by the department. Beginning on
15 the implementation date, upon receipt of an application for a
16 certificate of title for a vehicle, any lien filed electronically
17 shall become part of the electronic certificate of title record
18 created by the county clerk, designated county official, or
19 department maintained on the electronic title and lien system.
20 Beginning on the implementation date, if an application for
21 a certificate of title indicates that there is a lien or
22 encumbrance on a vehicle or if a lien or notice of lien has been
23 filed electronically, the department shall retain an electronic
24 certificate of title record and shall note and cancel such liens
25 electronically on the system. The department shall provide access

1 to the electronic certificate of title records for motor vehicle
2 dealers and lienholders who participate in the system by a method
3 determined by the director.

4 (2) Except as provided in section 60-165, the provisions
5 of article 9, Uniform Commercial Code, shall never be construed
6 to apply to or to permit or require the deposit, filing,
7 or other record whatsoever of a security agreement, conveyance
8 intended to operate as a mortgage, trust receipt, conditional sales
9 contract, or similar instrument or any copy of the same covering a
10 vehicle. Any mortgage, conveyance intended to operate as a security
11 agreement as provided by article 9, Uniform Commercial Code, trust
12 receipt, conditional sales contract, or other similar instrument
13 covering a vehicle, if such instrument is accompanied by delivery
14 of such manufacturer's or importer's certificate and followed by
15 actual and continued possession of the same by the holder of
16 such instrument or, in the case of a certificate of title, if a
17 notation of the same has been made electronically as prescribed in
18 subsection (1) of this section or by the county clerk, designated
19 county official, or department on the face of the certificate of
20 title or on the electronic certificate of title record, shall be
21 valid as against the creditors of the debtor, whether armed with
22 process or not, and subsequent purchasers, secured parties, and
23 other lienholders or claimants but otherwise shall not be valid
24 against them, except that during any period in which a vehicle
25 is inventory, as defined in section 9-102, Uniform Commercial

1 Code, held for sale by a person or corporation that is required
2 to be licensed as provided in Chapter 60, article 14, and is
3 in the business of selling such vehicles, the filing provisions
4 of article 9, Uniform Commercial Code, as applied to inventory,
5 shall apply to a security interest in such vehicle created by
6 such person or corporation as debtor without the notation of lien
7 on the certificate of title. A buyer of a vehicle at retail
8 from a dealer required to be licensed as provided in Chapter 60,
9 article 14, shall take such vehicle free of any security interest.
10 A purchase-money security interest, as defined in section 9-103,
11 Uniform Commercial Code, in a vehicle is perfected against the
12 rights of judicial lien creditors and execution creditors on and
13 after the date the purchase-money security interest attaches.

14 (3) Subject to subsections (1) and (2) of this section,
15 all liens, security agreements, and encumbrances noted upon a
16 certificate of title or an electronic certificate of title record
17 and all liens noted electronically as prescribed in subsection (1)
18 of this section shall take priority according to the order of time
19 in which the same are noted by the county clerk, designated county
20 official, or department. Exposure for sale of any vehicle by the
21 owner thereof with the knowledge or with the knowledge and consent
22 of the holder of any lien, security agreement, or encumbrance on
23 such vehicle shall not render the same void or ineffective as
24 against the creditors of such owner or holder of subsequent liens,
25 security agreements, or encumbrances upon such vehicle.

1 (4) The holder of a security agreement, trust
2 receipt, conditional sales contract, or similar instrument, upon
3 presentation of such instrument to the department, or to any county
4 clerk or designated county official, together with the certificate
5 of title and the fee prescribed for notation of lien, may have
6 a notation of such lien made on the face of such certificate of
7 title. The owner of a vehicle may present a valid out-of-state
8 certificate of title issued to such owner for such vehicle with a
9 notation of lien on such certificate of title and the prescribed
10 fee to the county clerk, designated county official, or department
11 and have the notation of lien made on the new certificate of title
12 issued pursuant to section 60-144 without presenting a copy of the
13 lien instrument. The county clerk or designated county official or
14 the department shall enter the notation and the date thereof over
15 the signature of the person making the notation and the seal of the
16 office. If noted by a county clerk or designated county official,
17 he or she shall on that day notify the department which shall note
18 the lien on its records. The county clerk or designated county
19 official or the department shall also indicate by appropriate
20 notation and on such instrument itself the fact that such lien has
21 been noted on the certificate of title.

22 (5) A transaction does not create a sale or a security
23 interest in a vehicle, other than an all-terrain vehicle, a
24 utility-type vehicle, or a minibike, merely because it provides
25 that the rental price is permitted or required to be adjusted under

1 the agreement either upward or downward by reference to the amount
2 realized upon sale or other disposition of the vehicle.

3 (6) The county clerk or designated county official or
4 the department, upon receipt of a lien instrument duly signed by
5 the owner in the manner prescribed by law governing such lien
6 instruments together with the fee prescribed for notation of lien,
7 shall notify the first lienholder to deliver to the county clerk
8 or designated county official or the department, within fifteen
9 days after the date of notice, the certificate of title to permit
10 notation of such other lien and, after notation of such other lien,
11 the county clerk or designated county official or the department
12 shall deliver the certificate of title to the first lienholder.
13 The holder of a certificate of title who refuses to deliver a
14 certificate of title to the county clerk or designated county
15 official or the department for the purpose of showing such other
16 lien on such certificate of title within fifteen days after the
17 date of notice shall be liable for damages to such other lienholder
18 for the amount of damages such other lienholder suffered by reason
19 of the holder of the certificate of title refusing to permit the
20 showing of such lien on the certificate of title.

21 (7) Beginning on the implementation date of the
22 electronic title and lien system, upon receipt of a subsequent
23 lien instrument duly signed by the owner in the manner prescribed
24 by law governing such lien instruments or a notice of lien filed
25 electronically, together with an application for notation of

1 the subsequent lien, the fee prescribed in section 60-154, and,
2 if a printed certificate of title exists, the presentation of
3 the certificate of title, the county clerk, designated county
4 official, or department shall make notation of such other lien.
5 If the certificate of title is not an electronic certificate of
6 title record, the county clerk, designated county official, or
7 department, upon receipt of a lien instrument duly signed by
8 the owner in the manner prescribed by law governing such lien
9 instruments together with the fee prescribed for notation of lien,
10 shall notify the first lienholder to deliver to the county clerk,
11 designated county official, or department, within fifteen days
12 after the date of notice, the certificate of title to permit
13 notation of such other lien. After such notation of lien, the
14 lien shall become part of the electronic certificate of title
15 record created by the county clerk, designated county official, or
16 department which is maintained on the electronic title and lien
17 system. The holder of a certificate of title who refuses to deliver
18 a certificate of title to the county clerk, designated county
19 official, or department for the purpose of noting such other lien
20 on such certificate of title within fifteen days after the date
21 when notified to do so shall be liable for damages to such other
22 lienholder for the amount of damages such other lienholder suffered
23 by reason of the holder of the certificate of title refusing to
24 permit the noting of such lien on the certificate of title.

25 (8) When a lien is discharged, the holder shall, within

1 fifteen days after payment is received, note a cancellation of the
2 lien on the certificate of title over his, her, or its signature
3 and deliver the certificate of title to the county clerk or
4 designated county official or the department, which shall note the
5 cancellation of the lien on the face of the certificate of title
6 and on the records of such office. If delivered to a county clerk
7 or designated county official, he or she shall on that day notify
8 the department which shall note the cancellation on its records.
9 The county clerk or designated county official or the department
10 shall then return the certificate of title to the owner or as
11 otherwise directed by the owner. The cancellation of lien shall be
12 noted on the certificate of title without charge. For an electronic
13 certificate of title record, the lienholder shall, within fifteen
14 days after payment is received when such lien is discharged,
15 notify the department electronically or provide written notice of
16 such lien release, in a manner prescribed by the department, to
17 the county clerk, designated county official, or department. The
18 department shall note the cancellation of lien and, if no other
19 liens exist, issue the certificate of title to the owner or as
20 otherwise directed by the owner or lienholder. If the holder of
21 the title cannot locate a lienholder, a lien may be discharged
22 ten years after the date of filing by presenting proof that thirty
23 days have passed since the mailing of a written notice by certified
24 mail, return receipt requested, to the last-known address of the
25 lienholder.

1 Sec. 18. Section 60-165, Revised Statutes Supplement,
2 2009, is amended to read:

3 60-165 (1) Any security interest in an all-terrain
4 vehicle or minibike perfected pursuant to article 9, Uniform
5 Commercial Code, before, on, or after January 1, 2004, or in a
6 utility-type vehicle so perfected before, on, or after January
7 1, 2011, shall continue to be perfected until (a) the financing
8 statement perfecting such security interest is terminated or lapses
9 in the absence of the filing of a continuation statement pursuant
10 to article 9, Uniform Commercial Code, or (b) an all-terrain
11 vehicle, utility-type vehicle, or minibike certificate of title
12 is issued and a notation of lien is made as provided in section
13 60-164.

14 (2) Any lien noted on the face of an all-terrain vehicle,
15 utility-type vehicle, or minibike certificate of title or on an
16 electronic certificate of title record pursuant to subsection (1),
17 (3), or (4) of this section, on behalf of the holder of a
18 security interest in the all-terrain vehicle, utility-type vehicle,
19 or minibike which was previously perfected pursuant to article 9,
20 Uniform Commercial Code, shall have priority as of the date such
21 security interest was originally perfected.

22 (3) The holder of a certificate of title for an
23 all-terrain vehicle, utility-type vehicle, or minibike shall, upon
24 request, surrender the certificate of title to a holder of a
25 previously perfected security interest in the all-terrain vehicle,

1 utility-type vehicle, or minibike to permit notation of a lien on
2 the certificate of title or on an electronic certificate of title
3 record and shall do such other acts as may be required to permit
4 such notation.

5 (4) If the owner of an all-terrain vehicle or minibike
6 subject to a security interest perfected pursuant to article 9,
7 Uniform Commercial Code, fails or refuses to obtain a certificate
8 of title after January 1, 2004, the security interest holder may
9 obtain a certificate of title in the name of the owner of the
10 all-terrain vehicle or minibike following the procedures of section
11 60-144 and may have a lien noted on the certificate of title or
12 on an electronic certificate of title record pursuant to section
13 60-164.

14 (5) If the owner of a utility-type vehicle subject
15 to a security interest perfected pursuant to article 9, Uniform
16 Commercial Code, fails or refuses to obtain a certificate of title
17 after January 1, 2011, the security interest holder may obtain a
18 certificate of title in the name of the owner of the utility-type
19 vehicle following the procedures of section 60-144 and may have
20 a lien noted on the certificate of title or on an electronic
21 certificate of title record pursuant to section 60-164.

22 ~~(5)~~ (6) The assignment, release, or satisfaction of a
23 security interest in an all-terrain vehicle, utility-type vehicle,
24 or minibike shall be governed by the laws under which it was
25 perfected.

1 Sec. 19. Section 60-171, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 60-171 For purposes of sections 60-171 to 60-177:

4 (1) Cost of repairs means the estimated or actual retail
5 cost of parts needed to repair a vehicle plus the cost of labor
6 computed by using the hourly labor rate and time allocations for
7 repair that are customary and reasonable. Retail cost of parts
8 and labor rates may be based upon collision estimating manuals
9 or electronic computer estimating systems customarily used in the
10 insurance industry;

11 (2) Late model vehicle means a vehicle which has (a) a
12 manufacturer's model year designation of, or later than, the year
13 in which the vehicle was wrecked, damaged, or destroyed, or any of
14 the six preceding years or (b) (i) in the case of vehicles other
15 than all-terrain vehicles, utility-type vehicles, and minibikes, a
16 retail value of more than ten thousand five hundred dollars until
17 January 1, 2010, and a retail value of more than ten thousand
18 five hundred dollars increased by five hundred dollars every five
19 years thereafter or (ii) in the case of all-terrain vehicles,
20 utility-type vehicles, or minibikes, a retail value of more than
21 one thousand seven hundred fifty dollars until January 1, 2010,
22 and a retail value of more than one thousand seven hundred fifty
23 dollars increased by two hundred fifty dollars every five years
24 thereafter;

25 (3) Manufacturer buyback means the designation of a

1 vehicle with an alleged nonconformity when the vehicle (a) has
2 been replaced by a manufacturer or (b) has been repurchased by a
3 manufacturer as the result of court judgment, arbitration, or any
4 voluntary agreement entered into between the manufacturer or its
5 agent and a consumer;

6 (4) Previously salvaged means the designation of a
7 rebuilt or reconstructed vehicle which was previously required
8 to be issued a salvage branded certificate of title and which has
9 been inspected as provided in section 60-146;

10 (5) Retail value means the actual cash value, fair market
11 value, or retail value of a vehicle as (a) set forth in a
12 current edition of any nationally recognized compilation, including
13 automated data bases, of retail values or (b) determined pursuant
14 to a market survey of comparable vehicles with respect to condition
15 and equipment; and

16 (6) Salvage means the designation of a vehicle which is:

17 (a) A late model vehicle which has been wrecked, damaged,
18 or destroyed to the extent that the estimated total cost of repair
19 to rebuild or reconstruct the vehicle to its condition immediately
20 before it was wrecked, damaged, or destroyed and to restore the
21 vehicle to a condition for legal operation, meets or exceeds
22 seventy-five percent of the retail value of the vehicle at the time
23 it was wrecked, damaged, or destroyed; or

24 (b) Voluntarily designated by the owner of the vehicle
25 as a salvage vehicle by obtaining a salvage branded certificate of

1 title, without respect to the damage to, age of, or value of the
2 vehicle.

3 Sec. 20. Section 60-301, Revised Statutes Supplement,
4 2009, is amended to read:

5 60-301 Sections 60-301 to 60-3,222 and sections 22, 24,
6 and 27 of this act shall be known and may be cited as the Motor
7 Vehicle Registration Act.

8 Sec. 21. Section 60-302, Revised Statutes Cumulative
9 Supplement, 2008, is amended to read:

10 60-302 For purposes of the Motor Vehicle Registration
11 Act, unless the context otherwise requires, the definitions found
12 in sections 60-303 to 60-360 and sections 22 and 24 of this act
13 shall be used.

14 Sec. 22. Minitruck means a foreign-manufactured import
15 vehicle or domestic-manufactured vehicle which (1) is powered by
16 an internal combustion engine with a piston or rotor displacement
17 of one thousand cubic centimeters or less, (2) is sixty-seven
18 inches or less in width, (3) has a dry weight of four thousand
19 two hundred pounds or less, (4) travels on four or more tires,
20 (5) has a top speed of approximately fifty-five miles per hour,
21 (6) is equipped with a bed or compartment for hauling, (7)
22 has an enclosed passenger cab, (8) is equipped with headlights,
23 taillights, turnsignals, windshield wipers, a rearview mirror,
24 and an occupant protection system, and (9) has a four-speed,
25 five-speed, or automatic transmission.

1 Sec. 23. Section 60-339, Revised Statutes Cumulative
2 Supplement, 2008, is amended to read:

3 60-339 Motor vehicle means any vehicle propelled by any
4 power other than muscular power. Motor vehicle does not include
5 ~~except~~ (1) mopeds, (2) farm tractors, (3) self-propelled equipment
6 designed and used exclusively to carry and apply fertilizer,
7 chemicals, or related products to agricultural soil and crops,
8 agricultural floater-spreader implements, and other implements of
9 husbandry designed for and used primarily for tilling the soil
10 and harvesting crops or feeding livestock, (4) power unit hay
11 grinders or a combination which includes a power unit and a hay
12 grinder when operated without cargo, (5) vehicles which run only
13 on rails or tracks, (6) off-road designed vehicles, including, but
14 not limited to, golf carts, go-carts, riding lawnmowers, garden
15 tractors, all-terrain vehicles, utility-type vehicles, snowmobiles
16 registered or exempt from registration under sections 60-3,207 to
17 60-3,219, and minibikes, (7) road and general-purpose construction
18 and maintenance machinery not designed or used primarily for the
19 transportation of persons or property, including, but not limited
20 to, ditchdigging apparatus, asphalt spreaders, bucket loaders,
21 leveling graders, earthmoving carryalls, power shovels, earthmoving
22 equipment, and crawler tractors, (8) self-propelled chairs used by
23 persons who are disabled, (9) electric personal assistive mobility
24 devices, and (10) low-speed vehicles.

25 Sec. 24. (1) Utility-type vehicle means any motorized

1 off-highway vehicle which (a) is not less than forty-eight inches
2 nor more than seventy-four inches in width, (b) is not more
3 than one hundred thirty-five inches, including the bumper, in
4 length, (c) has a dry weight of not less than nine hundred pounds
5 nor more than two thousand pounds, (d) travels on four or more
6 low-pressure tires, and (e) is equipped with a steering wheel and
7 bench or bucket-type seating designed for at least two people to
8 sit side-by-side.

9 (2) Utility-type vehicle does not include golf carts or
10 low-speed vehicles.

11 Sec. 25. Section 60-3,100, Revised Statutes Cumulative
12 Supplement, 2008, is amended to read:

13 60-3,100 (1) The department shall issue to every person
14 whose motor vehicle or trailer is registered fully reflectorized
15 license plates upon which shall be displayed (a) the registration
16 number consisting of letters and numerals assigned to such motor
17 vehicle or trailer in figures not less than two and one-half inches
18 nor more than three inches in height and (b) also the word Nebraska
19 suitably lettered so as to be attractive. Two license plates shall
20 be issued for every motor vehicle, except that one plate shall
21 be issued for dealers, motorcycles, minitrucks, truck-tractors,
22 trailers, buses, and apportionable vehicles. The license plates
23 shall be of a color designated by the director. The color of the
24 plates shall be changed each time the license plates are changed.
25 Each time the license plates are changed, the director shall secure

1 competitive bids for materials pursuant to sections 81-145 to
2 81-162. Motorcycle, minitruck, and trailer license plate letters
3 and numerals may be one-half the size of those required in this
4 section.

5 (2) When two license plates are issued, one shall be
6 prominently displayed at all times on the front and one on the
7 rear of the registered motor vehicle or trailer. When only one
8 plate is issued, it shall be prominently displayed on the rear of
9 the registered motor vehicle or trailer. When only one plate is
10 issued for motor vehicles registered pursuant to section 60-3,198
11 and truck-tractors, it shall be prominently displayed on the front
12 of the apportionable vehicle.

13 Sec. 26. Section 60-3,104, Revised Statutes Supplement,
14 2009, is amended to read:

15 60-3,104 The department shall issue the following types
16 of license plates:

17 (1) Amateur radio station license plates issued pursuant
18 to section 60-3,126;

19 (2) Apportionable vehicle license plates issued pursuant
20 to section 60-3,203;

21 (3) Boat dealer license plates issued pursuant to section
22 60-379;

23 (4) Bus license plates issued pursuant to section
24 60-3,144;

25 (5) Commercial motor vehicle license plates issued

1 pursuant to section 60-3,147;

2 (6) Dealer or manufacturer license plates issued pursuant
3 to sections 60-3,114 and 60-3,115;

4 (7) Disabled veteran license plates issued pursuant to
5 section 60-3,124;

6 (8) Farm trailer license plates issued pursuant to
7 section 60-3,151;

8 (9) Farm truck license plates issued pursuant to section
9 60-3,146;

10 (10) Farm trucks with a gross weight of over sixteen tons
11 license plates issued pursuant to section 60-3,146;

12 (11) Fertilizer trailer license plates issued pursuant to
13 section 60-3,151;

14 (12) Film vehicle license plates issued pursuant to
15 section 60-383;

16 (13) Gold Star Family license plates issued pursuant to
17 sections 60-3,122.01 and 60-3,122.02;

18 (14) Handicapped or disabled person license plates issued
19 pursuant to section 60-3,113;

20 (15) Historical vehicle license plates issued pursuant to
21 sections 60-3,130 to 60-3,134;

22 (16) Local truck license plates issued pursuant to
23 section 60-3,145;

24 (17) Minitruck license plates issued pursuant to section
25 60-3,100;

- 1 ~~(17)~~ (18) Motor vehicle license plates for motor vehicles
2 owned or operated by the state, counties, municipalities, or school
3 districts issued pursuant to section 60-3,105;
- 4 ~~(18)~~ (19) Motor vehicles exempt pursuant to section
5 60-3,107;
- 6 ~~(19)~~ (20) Motorcycle license plates issued pursuant to
7 section 60-3,100;
- 8 ~~(20)~~ (21) Nebraska Cornhusker Spirit Plates issued
9 pursuant to sections 60-3,127 to 60-3,129;
- 10 ~~(21)~~ (22) Nonresident owner thirty-day license plates
11 issued pursuant to section 60-382;
- 12 ~~(22)~~ (23) Passenger car having a seating capacity of ten
13 persons or less and not used for hire issued pursuant to section
14 60-3,143;
- 15 ~~(23)~~ (24) Passenger car having a seating capacity of
16 ten persons or less and used for hire issued pursuant to section
17 60-3,143;
- 18 ~~(24)~~ (25) Pearl Harbor license plates issued pursuant to
19 section 60-3,122;
- 20 ~~(25)~~ (26) Personal-use dealer license plates issued
21 pursuant to section 60-3,116;
- 22 ~~(26)~~ (27) Personalized message license plates for motor
23 vehicles and cabin trailers, except commercial motor vehicles
24 registered for over ten tons gross weight, issued pursuant to
25 sections 60-3,118 to 60-3,121;

- 1 ~~(27)~~ (28) Prisoner-of-war license plates issued pursuant
2 to section 60-3,123;
- 3 ~~(28)~~ (29) Purple Heart license plates issued pursuant to
4 section 60-3,125;
- 5 ~~(29)~~ (30) Recreational vehicle license plates issued
6 pursuant to section 60-3,151;
- 7 ~~(30)~~ (31) Repossession license plates issued pursuant to
8 section 60-375;
- 9 ~~(31)~~ (32) Specialty license plates issued pursuant to
10 sections 60-3,104.01 and 60-3,104.02;
- 11 ~~(32)~~ (33) Trailer license plates issued for trailers
12 owned or operated by the state, counties, municipalities, or school
13 districts issued pursuant to section 60-3,106;
- 14 ~~(33)~~ (34) Trailer license plates issued pursuant to
15 section 60-3,100;
- 16 ~~(34)~~ (35) Trailers exempt pursuant to section 60-3,108;
- 17 ~~(35)~~ (36) Transporter license plates issued pursuant to
18 section 60-378;
- 19 ~~(36)~~ (37) Trucks or combinations of trucks,
20 truck-tractors, or trailers which are not for hire and
21 engaged in soil and water conservation work and used for the
22 purpose of transporting pipe and equipment exclusively used by such
23 contractors for soil and water conservation construction license
24 plates issued pursuant to section 60-3,149;
- 25 ~~(37)~~ (38) Utility trailer license plates issued pursuant

1 to section 60-3,151; and

2 ~~(38)~~ (39) Well-boring apparatus and well-servicing
3 equipment license plates issued pursuant to section 60-3,109.

4 Sec. 27. For the registration of every minitruck, the fee
5 shall be fifteen dollars.

6 Sec. 28. Section 60-3,187, Revised Statutes Cumulative
7 Supplement, 2008, is amended to read:

8 60-3,187 (1) The motor vehicle tax schedules are set out
9 in this section.

10 (2) The motor vehicle tax shall be calculated by
11 multiplying the base tax times the fraction which corresponds
12 to the age category of the vehicle as shown in the following table:

13	YEAR	FRACTION
14	First	1.00
15	Second	0.90
16	Third	0.80
17	Fourth	0.70
18	Fifth	0.60
19	Sixth	0.51
20	Seventh	0.42
21	Eighth	0.33
22	Ninth	0.24
23	Tenth and Eleventh	0.15
24	Twelfth and Thirteenth	0.07
25	Fourteenth and older	0.00

1 (3) The base tax shall be:

2 (a) Automobiles and motorcycles - An amount determined
3 using the following table:

4 Value when new	Base tax
5 Up to \$3,999	\$ 25
6 \$4,000 to \$5,999	35
7 \$6,000 to \$7,999	45
8 \$8,000 to \$9,999	60
9 \$10,000 to \$11,999	100
10 \$12,000 to \$13,999	140
11 \$14,000 to \$15,999	180
12 \$16,000 to \$17,999	220
13 \$18,000 to \$19,999	260
14 \$20,000 to \$21,999	300
15 \$22,000 to \$23,999	340
16 \$24,000 to \$25,999	380
17 \$26,000 to \$27,999	420
18 \$28,000 to \$29,999	460
19 \$30,000 to \$31,999	500
20 \$32,000 to \$33,999	540
21 \$34,000 to \$35,999	580
22 \$36,000 to \$37,999	620
23 \$38,000 to \$39,999	660
24 \$40,000 to \$41,999	700
25 \$42,000 to \$43,999	740

LB 650		LB 650
1	\$44,000 to \$45,999	780
2	\$46,000 to \$47,999	820
3	\$48,000 to \$49,999	860
4	\$50,000 to \$51,999	900
5	\$52,000 to \$53,999	940
6	\$54,000 to \$55,999	980
7	\$56,000 to \$57,999	1,020
8	\$58,000 to \$59,999	1,060
9	\$60,000 to \$61,999	1,100
10	\$62,000 to \$63,999	1,140
11	\$64,000 to \$65,999	1,180
12	\$66,000 to \$67,999	1,220
13	\$68,000 to \$69,999	1,260
14	\$70,000 to \$71,999	1,300
15	\$72,000 to \$73,999	1,340
16	\$74,000 to \$75,999	1,380
17	\$76,000 to \$77,999	1,420
18	\$78,000 to \$79,999	1,460
19	\$80,000 to \$81,999	1,500
20	\$82,000 to \$83,999	1,540
21	\$84,000 to \$85,999	1,580
22	\$86,000 to \$87,999	1,620
23	\$88,000 to \$89,999	1,660
24	\$90,000 to \$91,999	1,700
25	\$92,000 to \$93,999	1,740

LB 650	LB 650
1 \$94,000 to \$95,999	1,780
2 \$96,000 to \$97,999	1,820
3 \$98,000 to \$99,999	1,860
4 \$100,000 and over	1,900
5 (b) Assembled automobiles - \$60	
6 (c) Assembled motorcycles - \$25	
7 (d) Cabin trailers, up to one thousand pounds - \$10	
8 (e) Cabin trailers, one thousand pounds and over and less	
9 than two thousand pounds - \$25	
10 (f) Cabin trailers, two thousand pounds and over - \$40	
11 (g) Recreational vehicles, less than eight thousand	
12 pounds - \$160	
13 (h) Recreational vehicles, eight thousand pounds and over	
14 and less than twelve thousand pounds - \$410	
15 (i) Recreational vehicles, twelve thousand pounds and	
16 over - \$860	
17 (j) Assembled recreational vehicles and buses shall	
18 follow the schedules for body type and registered weight	
19 (k) Trucks - Over seven tons and less than ten tons -	
20 \$360	
21 (l) Trucks - Ten tons and over and less than thirteen	
22 tons - \$560	
23 (m) Trucks - Thirteen tons and over and less than sixteen	
24 tons - \$760	
25 (n) Trucks - Sixteen tons and over and less than	

1 twenty-five tons - \$960

2 (o) Trucks - Twenty-five tons and over - \$1,160

3 (p) Buses - \$360

4 (q) Trailers other than semitrailers - \$10

5 (r) Semitrailers - \$110

6 (s) Minitrucks - \$50

7 (4) For purposes of subsection (3) of this section,
8 truck means all trucks and combinations of trucks except those
9 trucks, trailers, or combinations thereof registered under section
10 60-3,198, and the tax is based on the gross vehicle weight rating
11 as reported by the manufacturer.

12 (5) Current model year vehicles are designated as
13 first-year motor vehicles for purposes of the schedules.

14 (6) When a motor vehicle is registered which is newer
15 than the current model year by the manufacturer's designation, the
16 motor vehicle is subject to the initial motor vehicle tax in the
17 first registration period and ninety-five percent of the initial
18 motor vehicle tax in the second registration period.

19 (7) Assembled cabin trailers, assembled recreational
20 vehicles, and assembled buses shall be designated as sixth-year
21 motor vehicles in their first year of registration for purposes of
22 the schedules.

23 (8) When a motor vehicle is registered which is required
24 to have a title branded as previous salvage pursuant to section
25 60-175, the motor vehicle tax shall be reduced by twenty-five

1 percent.

2 Sec. 29. Section 60-3,190, Revised Statutes Cumulative
3 Supplement, 2008, is amended to read:

4 60-3,190 (1) A motor vehicle fee is imposed on all motor
5 vehicles registered for operation in this state. An owner of a
6 motor vehicle which is exempt from the imposition of a motor
7 vehicle tax pursuant to section 60-3,185 shall also be exempt from
8 the imposition of the motor vehicle fee imposed pursuant to this
9 section.

10 (2) The county treasurer or designated county official
11 shall annually determine the motor vehicle fee on each motor
12 vehicle registered in the county based on the age of the motor
13 vehicle pursuant to this section and cause a notice of the amount
14 of the fee to be mailed to the registrant at the address shown upon
15 his or her registration certificate. The notice shall be printed
16 on a form prescribed by the department, shall be combined with the
17 notice of the motor vehicle tax, and shall be mailed on or before
18 the first day of the last month of the registration period.

19 (3) The motor vehicle fee schedules are set out in
20 this subsection and subsection (4) of this section. Except for
21 automobiles with a value when new of less than \$20,000, and for
22 assembled automobiles, the fee shall be calculated by multiplying
23 the base fee times the fraction which corresponds to the age
24 category of the automobile as shown in the following table:

25 YEAR FRACTION

1	First through fifth	1.00
2	Sixth through tenth	.70
3	Eleventh and over	.35

4 (4) The base fee shall be:

5 (a) Automobiles, with a value when new of less than

6 \$20,000, and assembled automobiles - \$5

7 (b) Automobiles, with a value when new of \$20,000 through

8 \$39,999 - \$20

9 (c) Automobiles, with a value when new of \$40,000 or more

10 - \$30

11 (d) Motorcycles - \$10

12 (e) Recreational vehicles and cabin trailers - \$10

13 (f) Trucks over seven tons and buses - \$30

14 (g) Trailers other than semitrailers - \$10

15 (h) Semitrailers - \$30-

16 (i) Minitrucks - \$10.

17 (5) The motor vehicle tax, motor vehicle fee, and

18 registration fee shall be paid to the county treasurer or

19 designated official prior to the registration of the motor vehicle

20 for the following registration period. After retaining one percent

21 of the motor vehicle fee collected for costs, the remaining

22 proceeds shall be remitted to the State Treasurer for credit to

23 the Motor Vehicle Fee Fund. The State Treasurer shall return funds

24 from the Motor Vehicle Fee Fund remitted by a county treasurer or

25 designated county official which are needed for refunds or credits

1 authorized by law.

2 (6) (a) The Motor Vehicle Fee Fund is created. On or
3 before the last day of each calendar quarter, the State Treasurer
4 shall distribute all funds in the Motor Vehicle Fee Fund as
5 follows: (i) Fifty percent to the county treasurer of each county,
6 amounts in the same proportion as the most recent allocation
7 received by each county from the Highway Allocation Fund; and
8 (ii) fifty percent to the treasurer of each municipality, amounts
9 in the same proportion as the most recent allocation received by
10 each municipality from the Highway Allocation Fund. Any money in
11 the fund available for investment shall be invested by the state
12 investment officer pursuant to the Nebraska Capital Expansion Act
13 and the Nebraska State Funds Investment Act.

14 (b) Funds from the Motor Vehicle Fee Fund shall be
15 considered local revenue available for matching state sources.

16 (c) All receipts by counties and municipalities from the
17 Motor Vehicle Fee Fund shall be used for road, bridge, and street
18 purposes.

19 (7) For purposes of subdivisions (4) (a), (b), (c), and
20 (f) of this section, automobiles or trucks includes all trucks
21 and combinations of trucks or truck-tractors, except those trucks,
22 trailers, or semitrailers registered under section 60-3,198, and
23 the fee is based on the gross vehicle weight rating as reported by
24 the manufacturer.

25 (8) Current model year vehicles are designated as

1 first-year motor vehicles for purposes of the schedules.

2 (9) When a motor vehicle is registered which is newer
3 than the current model year by the manufacturer's designation, the
4 motor vehicle is subject to the initial motor vehicle fee for six
5 registration periods.

6 (10) Assembled vehicles other than assembled automobiles
7 shall follow the schedules for the motor vehicle body type.

8 Sec. 30. Section 60-471, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-471 Motor vehicle means all vehicles propelled by any
11 power other than muscular power. Motor vehicle does not include
12 ~~except~~ (1) self-propelled chairs used by persons who are disabled,
13 (2) farm tractors, (3) farm tractors used occasionally outside
14 general farm usage, (4) road rollers, (5) vehicles which run
15 only on rails or tracks, (6) electric personal assistive mobility
16 devices as defined in section 60-618.02, and (7) off-road vehicles,
17 including, but not limited to, golf carts, go-carts, riding lawn
18 mowers, garden tractors, all-terrain vehicles and utility-type
19 vehicles as defined in section 60-6,355, minibikes as defined in
20 section 60-636, and snowmobiles as defined in section 60-663.

21 Sec. 31. Section 60-4,126, Revised Statutes Cumulative
22 Supplement, 2008, is amended to read:

23 60-4,126 Any person who is younger than sixteen years of
24 age but is over thirteen years of age and resides upon a farm in
25 this state or is fourteen years of age or older and is employed

1 for compensation upon a farm in this state may obtain a farm permit
2 authorizing the operation of farm tractors, minitrucks, and other
3 motorized implements of farm husbandry upon the highways of this
4 state if the applicant for such farm permit furnishes satisfactory
5 proof of age and satisfactorily demonstrates that he or she has
6 knowledge of the operation of such equipment and of the rules
7 of the road and laws respecting the operation of motor vehicles
8 upon the highways of this state. Any person under sixteen years
9 of age but not less than thirteen years of age may obtain a
10 temporary permit to operate such equipment for a six-month period
11 after presentation to the department of a request for the temporary
12 permit signed by the person's parent or guardian and payment of
13 the fee and surcharge prescribed in section 60-4,115. After the
14 expiration of the six-month period, it shall be unlawful for such
15 person to operate such equipment upon the highways of this state
16 unless he or she has been issued a farm permit under this section.
17 The fee for an original, renewal, or duplicate farm permit shall
18 be the fee and surcharge prescribed in section 60-4,115. All farm
19 permits shall be subject to revocation under the terms of section
20 60-496. Any person who violates the terms of a farm permit shall
21 be guilty of an infraction and shall not be eligible for another
22 school, farm, LPD-learner's, or LPE-learner's permit until he or
23 she has attained the age of sixteen years.

24 Sec. 32. Section 60-501, Reissue Revised Statutes of
25 Nebraska, is amended to read:

1 60-501 For purposes of the Motor Vehicle Safety
2 Responsibility Act, unless the context otherwise requires:

3 (1) Department means Department of Motor Vehicles;

4 (2) Judgment means any judgment which shall have become
5 final by the expiration of the time within which an appeal might
6 have been perfected without being appealed, or by final affirmation
7 on appeal, rendered by a court of competent jurisdiction of any
8 state or of the United States, (a) upon a cause of action arising
9 out of the ownership, maintenance, or use of any motor vehicle for
10 damages, including damages for care and loss of services, because
11 of bodily injury to or death of any person or for damages because
12 of injury to or destruction of property, including the loss of
13 use thereof, or (b) upon a cause of action on an agreement of
14 settlement for such damages;

15 (3) License means any license issued to any person under
16 the laws of this state pertaining to operation of a motor vehicle
17 within this state;

18 (4) Minitruck means a foreign-manufactured import vehicle
19 or domestic-manufactured vehicle which (a) is powered by an
20 internal combustion engine with a piston or rotor displacement
21 of one thousand cubic centimeters or less, (b) is sixty-seven
22 inches or less in width, (c) has a dry weight of four thousand
23 two hundred pounds or less, (d) travels on four or more tires,
24 (e) has a top speed of approximately fifty-five miles per hour,
25 (f) is equipped with a bed or compartment for hauling, (g)

1 has an enclosed passenger cab, (h) is equipped with headlights,
2 taillights, turnsignals, windshield wipers, a rearview mirror,
3 and an occupant protection system, and (i) has a four-speed,
4 five-speed, or automatic transmission;

5 ~~(4)~~ (5) Motor vehicle means any self-propelled vehicle
6 which is designed for use upon a highway, including trailers
7 designed for use with such vehicles, ~~except~~ and minitrucks. Motor
8 vehicle does not include (a) mopeds as defined in section 60-637,
9 (b) traction engines, (c) road rollers, (d) farm tractors, (e)
10 tractor cranes, (f) power shovels, (g) well drillers, (h) every
11 vehicle which is propelled by electric power obtained from overhead
12 wires but not operated upon rails, (i) electric personal assistive
13 mobility devices as defined in section 60-618.02, and (j) off-road
14 designed vehicles, including, but not limited to, golf carts,
15 go-carts, riding lawnmowers, garden tractors, all-terrain vehicles
16 and utility-type vehicles as defined in section 60-6,355, minibikes
17 as defined in section 60-636, and snowmobiles as defined in section
18 60-663;

19 ~~(5)~~ (6) Nonresident means every person who is not a
20 resident of this state;

21 ~~(6)~~ (7) Nonresident's operating privilege means the
22 privilege conferred upon a nonresident by the laws of this state
23 pertaining to the operation by him or her of a motor vehicle or the
24 use of a motor vehicle owned by him or her in this state;

25 ~~(7)~~ (8) Operator means every person who is in actual

1 physical control of a motor vehicle;

2 ~~(8)~~ (9) Owner means a person who holds the legal title of
3 a motor vehicle, or in the event (a) a motor vehicle is the subject
4 of an agreement for the conditional sale or lease thereof with the
5 right of purchase upon performance of the conditions stated in the
6 agreement and with an immediate right of possession vested in the
7 conditional vendee or lessee or (b) a mortgagor of a vehicle is
8 entitled to possession, then such conditional vendee or lessee or
9 mortgagor shall be deemed the owner for the purposes of the act;

10 ~~(9)~~ (10) Person means every natural person, firm,
11 partnership, limited liability company, association, or
12 corporation;

13 ~~(10)~~ (11) Proof of financial responsibility means
14 evidence of ability to respond in damages for liability, on account
15 of accidents occurring subsequent to the effective date of such
16 proof, arising out of the ownership, maintenance, or use of a
17 motor vehicle, (a) in the amount of twenty-five thousand dollars
18 because of bodily injury to or death of one person in any one
19 accident, (b) subject to such limit for one person, in the amount
20 of fifty thousand dollars because of bodily injury to or death of
21 two or more persons in any one accident, and (c) in the amount of
22 twenty-five thousand dollars because of injury to or destruction of
23 property of others in any one accident;

24 ~~(11)~~ (12) Registration means registration certificate or
25 certificates and registration plates issued under the laws of this

1 state pertaining to the registration of motor vehicles;

2 ~~(12)~~ (13) State means any state, territory, or possession
3 of the United States, the District of Columbia, or any province of
4 the Dominion of Canada; and

5 ~~(13)~~ (14) The forfeiture of bail, not vacated, or of
6 collateral deposited to secure an appearance for trial shall be
7 regarded as equivalent to conviction of the offense charged.

8 Sec. 33. Section 60-520, Reissue Revised Statutes of
9 Nebraska, is amended to read:

10 60-520 Judgments in excess of the amounts specified in
11 subdivision ~~(10)~~ (11) of section 60-501 shall, for the purpose of
12 ~~sections 60-501 to 60-569~~ the Motor Vehicle Safety Responsibility
13 Act only, be deemed satisfied when payments in the amounts so
14 specified have been credited thereon. Payments ~~÷ PROVIDED,~~ payments
15 made in settlement of any claims because of bodily injury, death,
16 or property damage arising from a motor vehicle accident shall be
17 credited in reduction of the respective amounts so specified.

18 Sec. 34. Section 60-547, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 60-547 Proof of financial responsibility may be evidenced
21 by the bond of a surety company duly authorized to transact
22 business within this state, or a bond with at least two individual
23 sureties who each own real estate within this state, which real
24 estate shall be scheduled in the bond approved by a judge of a
25 court of record. The ~~said~~ bond shall be conditioned for the payment

1 of the amounts specified in ~~subsection (10)~~ subdivision (11) of
2 section 60-501. It shall be filed with the department and shall
3 not be cancelable except after ten days' written notice to the
4 department. Such bond shall constitute a lien in favor of the state
5 upon the real estate so scheduled of any surety, which lien shall
6 exist in favor of any holder of a final judgment against the person
7 who has filed such bond, for damages, including damages for care
8 and loss of services, because of bodily injury to or death of
9 any person, or for damages because of injury to or destruction of
10 property, including the loss of use thereof, resulting from the
11 ownership, maintenance, use, or operation of a motor vehicle after
12 such bond was filed, upon the filing of notice to that effect by
13 the department in the office of the register of deeds of the county
14 where such real estate shall be located.

15 Sec. 35. Section 60-601, Revised Statutes Supplement,
16 2009, is amended to read:

17 60-601 Sections 60-601 to 60-6,378 and sections 37 and 38
18 of this act shall be known and may be cited as the Nebraska Rules
19 of the Road.

20 Sec. 36. Section 60-605, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-605 For purposes of the Nebraska Rules of the Road,
23 the definitions found in sections 60-606 to 60-676 and section 37
24 of this act shall be used.

25 Sec. 37. Minitruck means a foreign-manufactured import

1 vehicle or domestic-manufactured vehicle which (1) is powered by
 2 an internal combustion engine with a piston or rotor displacement
 3 of one thousand cubic centimeters or less, (2) is sixty-seven
 4 inches or less in width, (3) has a dry weight of four thousand
 5 two hundred pounds or less, (4) travels on four or more tires,
 6 (5) has a top speed of approximately fifty-five miles per hour,
 7 (6) is equipped with a bed or compartment for hauling, (7)
 8 has an enclosed passenger cab, (8) is equipped with headlights,
 9 taillights, turnsignals, windshield wipers, a rearview mirror,
 10 and an occupant protection system, and (9) has a four-speed,
 11 five-speed, or automatic transmission.

12 Sec. 38. (1) A minitruck shall not be operated on the
 13 National System of Interstate and Defense Highways, on expressways,
 14 or on freeways.

15 (2) A minitruck shall be operated with its headlights and
 16 taillights on.

17 Sec. 39. Section 60-6,355, Revised Statutes Cumulative
 18 Supplement, 2008, is amended to read:

19 60-6,355 (1) For purposes of sections 60-6,355 to
 20 60-6,362:

21 (a) All-terrain ~~all-terrain~~ vehicle shall mean means
 22 any motorized off-highway vehicle which ~~(1)~~ (i) is fifty inches or
 23 less in width, (2) (ii) has a dry weight of nine hundred pounds or
 24 less, (3) (iii) travels on three or more low-pressure tires, (4)
 25 (iv) is designed for operator use only with no passengers or is

1 specifically designed by the original manufacturer for the operator
2 and one passenger, ~~(5)~~ (v) has a seat or saddle designed to be
3 straddled by the operator, and ~~(6)~~ (vi) has handlebars or any other
4 steering assembly for steering control; and-

5 (b) (i) Utility-type vehicle means any motorized
6 off-highway vehicle which (A) is not less than forty-eight inches
7 nor more than seventy-four inches in width, (B) is not more
8 than one hundred thirty-five inches, including the bumper, in
9 length, (C) has a dry weight of not less than nine hundred pounds
10 nor more than two thousand pounds, (D) travels on four or more
11 low-pressure tires, and (E) is equipped with a steering wheel and
12 bench or bucket-type seating designed for at least two people to
13 sit side-by-side.

14 (ii) Utility-type vehicle does not include golf carts or
15 low-speed vehicles.

16 (2) All-terrain vehicles and utility-type vehicles which
17 have been modified to include additional equipment not required
18 by sections 60-6,357 and 60-6,358 shall not be required to be
19 registered under the Motor Vehicle Registration Act.

20 Sec. 40. Section 60-6,356, Revised Statutes Cumulative
21 Supplement, 2008, is amended to read:

22 60-6,356 (1) An all-terrain vehicle or a utility-type
23 vehicle shall not be operated on any controlled-access highway
24 with more than two marked traffic lanes, and the crossing of any
25 controlled-access highway with more than two marked traffic lanes

1 shall not be permitted. Subsections (2), (3), and (5) through (8)
2 of this section authorize and apply to operation of an all-terrain
3 vehicle or a utility-type vehicle only on a highway other than a
4 controlled-access highway with more than two marked traffic lanes.

5 (2) An all-terrain vehicle or a utility-type vehicle
6 may be operated in accordance with the operating requirements of
7 subsection (3) of this section:

8 (a) Outside the corporate limits of a city, village,
9 or unincorporated village if incidental to the vehicle's use for
10 agricultural purposes;

11 (b) Within the corporate limits of a city or village
12 if authorized by the city or village by ordinance adopted in
13 accordance with this section; or

14 (c) Within an unincorporated village if authorized by the
15 county board of the county in which the unincorporated village is
16 located by resolution in accordance with this section.

17 (3) An all-terrain vehicle or a utility-type vehicle may
18 be operated as authorized in subsection (2) of this section when
19 such operation occurs only between the hours of sunrise and sunset.
20 Any person operating an all-terrain vehicle or a utility-type
21 vehicle as authorized in subsection (2) of this section shall have
22 a valid Class O operator's license or a farm permit as provided
23 in section 60-4,126, shall have liability insurance coverage for
24 the all-terrain vehicle or a utility-type vehicle while operating
25 the all-terrain vehicle or a utility-type vehicle on a highway,

1 and shall not operate such vehicle at a speed in excess of thirty
2 miles per hour. The person operating the all-terrain vehicle or a
3 utility-type vehicle shall provide proof of such insurance coverage
4 to any peace officer requesting such proof within five days of such
5 a request. When operating an all-terrain vehicle or a utility-type
6 vehicle as authorized in subsection (2) of this section, the
7 headlight and taillight of the vehicle shall be on and the vehicle
8 shall be equipped with a bicycle safety flag which extends not less
9 than five feet above ground attached to the rear of such vehicle.
10 The bicycle safety flag shall be triangular in shape with an area
11 of not less than thirty square inches and shall be day-glow in
12 color.

13 (4) All-terrain vehicles and utility-type vehicles may
14 be operated without complying with subsection (3) of this section
15 on highways in parades which have been authorized by the State
16 of Nebraska or any department, board, commission, or political
17 subdivision of the state.

18 (5) Subject to subsection (1) of this section, the
19 crossing of a highway shall be permitted by an all-terrain vehicle
20 or a utility-type vehicle without complying with subsection (3) of
21 this section only if:

22 (a) The crossing is made at an angle of approximately
23 ninety degrees to the direction of the highway and at a place where
24 no obstruction prevents a quick and safe crossing;

25 (b) The vehicle is brought to a complete stop before

1 crossing the shoulder or roadway of the highway;

2 (c) The operator yields the right-of-way to all oncoming
3 traffic that constitutes an immediate potential hazard;

4 (d) In crossing a divided highway, the crossing is made
5 only at an intersection of such highway with another highway; and

6 (e) Both the headlight and taillight of the vehicle are
7 on when the crossing is made.

8 (6) All-terrain vehicles and utility-type vehicles may
9 be operated outside the corporate limits of any municipality by
10 electric utility personnel within the course of their employment
11 in accordance with the operation requirements of subsection (3) of
12 this section, except that the operation of the vehicle pursuant to
13 this subsection need not be limited to the hours between sunrise
14 and sunset.

15 (7) A city or village may adopt an ordinance authorizing
16 the operation of all-terrain vehicles and utility-type vehicles
17 within the corporate limits of the city or village if the operation
18 is in accordance with subsection (3) of this section. The city
19 or village may place other restrictions on the operation of
20 all-terrain vehicles and utility-type vehicles within its corporate
21 limits.

22 (8) A county board may adopt a resolution authorizing the
23 operation of all-terrain vehicles and utility-type vehicles within
24 any unincorporated village within the county if the operation is
25 in accordance with subsection (3) of this section. The county may

1 place other restrictions on the operation of all-terrain vehicles
2 and utility-type vehicles within the unincorporated village.

3 Sec. 41. Section 60-6,357, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 60-6,357 Every all-terrain vehicle and utility-type
6 vehicle shall display a lighted headlight and taillight during
7 the period of time from sunset to sunrise and at any time when
8 visibility is reduced due to insufficient light or unfavorable
9 atmospheric conditions.

10 Sec. 42. Section 60-6,358, Reissue Revised Statutes of
11 Nebraska, is amended to read:

12 60-6,358 Every all-terrain vehicle and utility-type
13 vehicle shall be equipped with:

14 (1) A brake system maintained in good operating
15 condition;

16 (2) An adequate muffler system in good working condition;
17 and

18 (3) A United States Forest Service qualified spark
19 arrester.

20 Sec. 43. Section 60-6,359, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 60-6,359 No person shall:

23 (1) Equip the exhaust system of an all-terrain vehicle or
24 a utility-type vehicle with a cutout, bypass, or similar device;

25 (2) Operate an all-terrain vehicle or a utility-type

1 vehicle with an exhaust system so modified; or

2 (3) Operate an all-terrain vehicle or a utility-type
3 vehicle with the spark arrester removed or modified except for use
4 in closed-course competition events.

5 Sec. 44. Section 60-6,360, Reissue Revised Statutes of
6 Nebraska, is amended to read:

7 60-6,360 All-terrain vehicles and utility-type vehicles
8 participating in competitive events may be exempted from sections
9 60-6,357 to 60-6,359 at the discretion of the Director of Motor
10 Vehicles.

11 Sec. 45. Section 60-6,361, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 60-6,361 If an accident results in the death of any
14 person or in the injury of any person which requires the treatment
15 of the person by a physician, the operator of each all-terrain
16 vehicle or utility-type vehicle involved in the accident shall give
17 notice of the accident in the same manner as provided in section
18 60-699.

19 Sec. 46. Section 60-1901, Revised Statutes Supplement,
20 2009, is amended to read:

21 60-1901 (1) A motor vehicle is an abandoned vehicle:

22 (a) If left unattended, with no license plates or
23 valid In Transit stickers issued pursuant to the Motor Vehicle
24 Registration Act affixed thereto, for more than six hours on any
25 public property;

1 (b) If left unattended for more than twenty-four hours on
2 any public property, except a portion thereof on which parking is
3 legally permitted;

4 (c) If left unattended for more than forty-eight hours,
5 after the parking of such vehicle has become illegal, if left
6 on a portion of any public property on which parking is legally
7 permitted;

8 (d) If left unattended for more than seven days on
9 private property if left initially without permission of the owner,
10 or after permission of the owner is terminated;

11 (e) If left for more than thirty days in the custody of
12 a law enforcement agency after the agency has sent a letter to the
13 last-registered owner under section 60-1903.01; or

14 (f) If removed from private property by a municipality
15 pursuant to a municipal ordinance.

16 (2) An all-terrain vehicle, a utility-type vehicle, or a
17 minibike is an abandoned vehicle:

18 (a) If left unattended for more than twenty-four hours on
19 any public property, except a portion thereof on which parking is
20 legally permitted;

21 (b) If left unattended for more than forty-eight hours,
22 after the parking of such vehicle has become illegal, if left
23 on a portion of any public property on which parking is legally
24 permitted;

25 (c) If left unattended for more than seven days on

1 private property if left initially without permission of the owner,
2 or after permission of the owner is terminated;

3 (d) If left for more than thirty days in the custody of
4 a law enforcement agency after the agency has sent a letter to the
5 last-registered owner under section 60-1903.01; or

6 (e) If removed from private property by a municipality
7 pursuant to a municipal ordinance.

8 (3) For purposes of this section:

9 (a) Public property means any public right-of-way,
10 street, highway, alley, or park or other state, county, or
11 municipally owned property; and

12 (b) Private property means any privately owned property
13 which is not included within the definition of public property.

14 (4) No motor vehicle subject to forfeiture under section
15 28-431 shall be an abandoned vehicle under this section.

16 Sec. 47. This act becomes operative on January 1, 2011.

17 Sec. 48. Original sections 60-471, 60-501, 60-520,
18 60-547, 60-6,357, 60-6,358, 60-6,359, 60-6,360, and 60-6,361,
19 Reissue Revised Statutes of Nebraska, sections 60-102, 60-123,
20 60-136, 60-137, 60-148, 60-149, 60-153, 60-154, 60-154.01, 60-171,
21 60-302, 60-339, 60-3,100, 60-3,187, 60-3,190, 60-4,126, 60-605,
22 60-6,355, and 60-6,356, Revised Statutes Cumulative Supplement,
23 2008, and sections 23-186, 30-24,125, 60-101, 60-144, 60-164,
24 60-165, 60-301, 60-3,104, 60-601, and 60-1901, Revised Statutes
25 Supplement, 2009, are repealed.